

REMARKS:

In the outstanding Office Action, the Examiner allowed claims 1-29 and 44-47 and rejected claims 48 and 52-63. Claims 48 and 52 are amended herein. No new matter is presented. Non-elected claims 31-41, 49-51 and claim 64 are cancelled herein without prejudice or disclaimer, and claims 30, 42 and 43.

Thus, claims 1-29, 44-48 and 52-63 are pending and under consideration. The rejections are traversed below.

EXAMINER INTERVIEW:

Applicants would like to thank the Examiner for taking the time to conduct an Examiner Interview regarding the outstanding rejections.

If there are any pending matters, Applicants respectfully request that the Examiner contact the undersigned before acting on the case in order to expedite allowance of the present application.

ALLOWABLE SUBJECT MATTER:

At item 5 on page 3 of the outstanding Office Action, the Examiner indicated claims 1-29 and 44-47 as being allowed.

REJECTION UNDER 35 U.S.C. § 112:

In item 3 on page 2 of the Office Action the Examiner rejected claim 48 under 35 U.S.C. §112, first paragraph. The Examiner alleged that claim 48 contains a single means recitation.

By this Amendment, claim 48 has been amended and no longer includes the language in the form rejected by the Examiner.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §101:

Claims 52-63 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

As mentioned above, based on the discussion with the Examiner, claim 52 is herein amended to recite that the invention includes retrieving the messages based on the categorizing

in response to an order request by the recipient "via a telephone." Thus, the invention of claim 52 is tied to a particular apparatus. Claims 53-63 depend from claim 52.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 02/17/2009

By: 

Temnit Afework
Registration No. 58,202

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501